

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUEL, Ph.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON  
THOMAS M. SMALL  
ROBERT A. SELDON  
JOHN A. SCILLIERI  
SANFORD ASTOR\*

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
BERNARD L. SWEENEY\*  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT (RET.)  
JAMES W. HELLWEGE  
QUENTIN R. "Rick" CORRIE  
ROBERT F. GNUSE  
DAVID R. MURPHY  
ROBERT M. ASHEN  
MICHAEL R. CAMMARATA

\*ADMITTED TO A BAR OTHER THAN VA.

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 100 EAST  
FALLS CHURCH, VA 22042-1248  
U S A  
(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

CALIFORNIA OFFICES:  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD GALLAGHER  
MARYANNE ARMSTRONG, Ph.D.  
KECIA J. REYNOLDS  
KALPANA REDDY  
ESTHER H. CHONG  
CATHERINE M. VOISINET\*  
EUGENE T. PEREZ  
CAROLYN T. BAUMGARDNER\*  
MARTIN R. GEISSLER\*  
J. ALISON GRABELL\*  
T. BENJAMIN SCHROEDER, Ph.D.  
PERCY L. SQUARE  
HYUNG N. SOHN  
CLINT A. GERDINE  
CRAIG A. MCROBBIE  
WILLIAM F. NIXON\*  
DANIEL K. DORSEY  
MATTHEW T. SHANLEY

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI HATSUMI  
GARTH M. DAHLEN, Ph.D.  
ROBERT E. GOOZNER, Ph.D.  
KRISTI L. RUPERT, Ph.D.  
SUSAN W. GORMAN, Ph.D.  
ROBERT W. DOWNS  
CHAD J. BILLINGS  
CHRISTINE V. CASTILLO  
CARL T. THOMSEN  
SAM BHATTACHARYA  
BRADLEY C. FACH



Date: July 15, 2003

Docket No.: 0042-0483P

## MS PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b),  
is a Continuation application of PCT International Application  
No. PCT/JP02/00047 filed on January 9, 2002.

Inventor(s): TSUTSUMI, Takeo and MIURA, Keigo

For: CIGARETTE

Enclosed are:

- ☒ A specification consisting of Eleven (11) pages
- ☐ ( ) sheet(s) of formal drawings
- ☒ An assignment of the invention
- ☒ Certified copy of Priority Document(s)
- ☒ Executed Declaration ☒ Original ☐ Photocopy
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☒ Information Disclosure Statement, PTO-1449 with reference(s)
- ☐ Preliminary Amendment

☒ Priority of PCT International Application No. PCT/JP02/00047 filed on January 9, 2002 is claimed under 35 U.S.C. § 120.

☒ Amend the specification by inserting before the first line thereof the following:

--This application is a Continuation of copending PCT International Application No. PCT/JP02/00047 filed on January 9, 2002, which was published in Japanese and which designated the United States, and on which priority is claimed under 35 U.S.C. § 120, the entire contents of which are hereby incorporated by reference.--

☒ Priority of Application No. 2001-006763 filed in JAPAN on January 15, 2001 is claimed under U.S.C. § 119.

☐ Other:

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	2- 20 =	0	X 18 = \$	x 9 = \$
INDEPENDENT CLAIMS	1- 3 =	0	x 84 = \$	x 42 = \$
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			750.00	

☒ A check in the amount of \$790.00 to cover the filing fee and recording fee (if applicable) is enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James M. Slattery, #28,380

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

JMS/ka  
**0042-0483P**

Attachment(s)

(Rev. 07/14/03)

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: TSUTSUMI, Takeo et al. Conf.:  
Appl. No.: NEW Group:  
Filed: July 15, 2003 Examiner:  
For: CIGARETTE

L E T T E R

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 15, 2003

Sir:

Under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a), the applicant(s) hereby claim(s) the right of priority based on the following application(s):

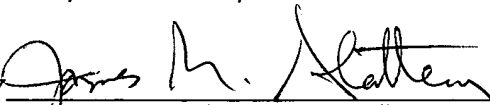
<u>Country</u>	<u>Application No.</u>	<u>Filed</u>
JAPAN	2001-006763	January 15, 2001

A certified copy of the above-noted application(s) is(are) attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James M. Slattery, #28,380

JMS/ka  
0042-0483P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)